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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,871	11/16/2001	Daisuke Koreeda	P21351	7784

7055 7590 05/16/2003

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RESTON, VA 20191

EXAMINER

VARGOT, MATHIEU D

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 05/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,871

Applicant(s)

KOREEDA et al.

Examiner

M. VAR60T

Group Art Unit

1732

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 3/11/03
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-6 is/are pending in the application.
- Of the above claim(s) 4-6 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-3 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some* ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. Applicant's election with traverse of Group I, claims 1-3 in Paper No. 5 is acknowledged. The traversal is on the ground(s) that a search for the invention as set forth in both groups would necessarily overlap. This is not found persuasive because, as noted in the restriction, the instant product can be made by other methods such as by cutting a preformed lens stack. Also, a search for the lens itself would involve a required search in the product class (359) which is not necessary for the method claims. In essence, a burden would exist in the absence of the restriction.

The requirement is still deemed proper and is therefore made FINAL.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukushima et al (see Figures 1, 2 and 4) in view of Watanabe.

Fukushima et al discloses the basic claimed process of making a complex lens consisting of a plurality of stacked lens portions (see 16 in Fig. 4) by preparing molding dies including a pair of single piece mirror surface cores (6 and 7; see col. 3, lines 7-9) to form the plurality of lens surfaces at an incident and an exit side and injecting lens material into a cavity to form a single-piece lens element generally depicted in Figure 4. Note that the lens portions are molded into a holder (3), the resultant element being readable on the instant "single-piece element". Essentially,

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the primary reference fails to explicitly disclose that the method taught therein is applicable for making a complex lens for use in a "tandem optical scanning system" which will converge a plurality of light beams which have been deflected onto a surface to be scanned. However, Fukushima et al (col. 3, line 63 through col. 4, line 9) shows that the lens doublets do converge light onto a surface to be scanned and that the lens element made in the process therein can be used in a copier, fax or printer. As shown in the secondary reference, the instant tandem optical scanning system employing a polygonal deflector is well known in the optical scanning art. It would have been obvious to one of ordinary skill in the art at the time of invention, based on Watanabe, to have recognized that the complex lens element of Fukushima et al would have been clearly used in the instant optical scanning system for increased accuracy in the scanning.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Vargot whose telephone number is 703 308-2621.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0661.

M. Vargot

**MATHIEU D. VARGOT
PRIMARY EXAMINER
GROUP 1300**

May 14, 2003